IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

WP(C).No. 31036 of 2006(T)

PETITIONERS:
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1. SIMON JOSEPHIA,
S/O.LATE E.JOSEPHIA,
NAVODAYA, C-10, SHARANYA APARTMENTS,
KALOOR, COCHIN-17.

2. ANU SIMON, W/O.SIMON JOSEPHIA,
NAVODAYA, C-10, SHARANYA APARTMENTS,
KALOOR, COCHIN-17.

BY ADV. SRI.C.S.SUNIL

RESPONDENTS:
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1. THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
CENTRAL POLICE STATION,
ERNAKULAM.

3. MIRIAM BASIL,
W/O.LATE DR.BASIL ELIAS,
KOTECANAL ROAD, NEAR LISSY HOSPITAL,
ERNAKULAM.

4. LAYA VICOR, W/O.VICOR YOHANNA,
ZION AGENCIES, BROADWAY,
ERNAKULAM.

5. SOSANNA BABY, C/O.MARIAM BASIL,
W/O.LATE DR. BASIL ELIAS,
KOTECANAL ROAD, NEAR LISSY HOSPITAL,
ERNAKULAM.

6. ABRAHAM SASON,
ZION AGENCIES, BROADWAY,
ERNAKULAM.

R1 & R2 BYG.P.SRI.P.A.SALIM
BY ADV. SRI.M.A.MANHU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.31036/2006

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1: TRUE COPY OF THE COMPLAINT DATED 20.11.2006 FILED BEFORE THE 2ND RESPONDENT.

EXT.P2: TRUE COPY OF THE RECEIPT ISSUED BY THE 2ND RESPONDENT DATED 20.11.2006.

// TRUE COPY //

TKS

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.31036 OF 2006

Dated 27th November, 2006

JUDGMENT

Koshy,J.

It is the complaint of the first petitioner that he is not even allowed to meet his ailing mother who is admitted as an inpatient in city hospital. Counsel for respondents 3 and 6 submitted that they are not threatening or obstructing the petitioners from seeing the mother, but, their only objection is regarding causing disturbance to the patient by the petitioners. In the above circumstances, we direct that petitioners should be allowed to meet the patient during visiting hours of the hospital, but, they shall not disturb the patient and during their visit if any obstruction is caused by respondents , police as well as staff of the hospital shall give all assistance to the petitioners.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

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